

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF COUNTY OF NEW YORK

BIANCA NIEVES

Index No.

Plaintiff(s),

Summons

-against-

REDDIT INC.

Date Index No. Purchased: April 7, 2023

Defendant(s).

To the above named Defendant(s)

c/o Corporation Service Company
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA, 95833

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of venue is plaintiff's employment
which is in New York County

Dated: New York, NY

April 7, 2023

Giskan Solotaroff and Anderson

by _____

Jason L. Solotaroff

Attorneys for Plaintiff

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Jason L. Solotaroff
Attorneys for Plaintiff

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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BIANCA NIEVES,

Plaintiff,

**VERIFIED
COMPLAINT**

-against-

Index No.

REDDIT INC.

Defendant.

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Plaintiff Bianca Nieves, by her attorneys Giskan Solotaroff & Anderson LLP, for her verified complaint against Defendant Reddit Inc. alleges as follows:

Preliminary Statement

1. This is an action for discrimination and retaliation in violation of the New York City Human Rights Law.

2. Ms. Nieves, who is a Latina woman, was employed by Reddit in sales with the title Sr. Client Partner II. Despite being a strong performer, she was singled out by her ultimate supervisor for an extremely poor review in July 2022.

3. Ms. Nieves then complained to Reddit HR about the poor review, indicating that it was the result of bias and discrimination. Reddit's HR representative responded that the review

appeared to have been given in violation of Reddit's procedures and that measures would be taken to clarify the situation, including a meeting between Ms. Nieves, her supervisors and HR.

4. This meeting never happened and Ms. Nieves was terminated for poor performance approximately a month later on August 23, 2022, despite being on track to meet her sales quota and never having been placed on a performance improvement plan, which is normally a prerequisite for terminating an employee for performance reasons at Reddit.

5. As a result of her termination, Ms. Nieves has lost significant compensation and suffered severe emotional distress.

THE PARTIES

6. Ms. Nieves is a Latina woman who lives in New York, New York.

7. Reddit Inc. is a corporation with an office in New York, New York.

VENUE AND JURISDICTION

8. Venue is proper before this Court pursuant to CPLR §503 as a substantial part of the events or omissions giving rise to the claim occurred in this County.

9. This Court has personal jurisdiction over Defendant because it conducts business in New York State and employed Plaintiff within New York State.

FACTS

10. Ms. Nieves is a Latina woman and an experienced media sales professional. Prior to being hired by Reddit in December 2019, Ms. Nieves had worked for various new media companies including Branded Entertainment Network and Twitch.

11. At Reddit, Ms. Nieves was extremely successful, generally meeting or exceeding her sales quotas with the exception of time periods where the company as a whole faced sales revenue challenges.

12. Ms. Nieves's direct manager for most of her tenure at Reddit was Jose Fernandez. However, during Mr. Fernandez's paternity leave in the first quarter of 2022, Ms. Nieves was directly managed by Mr. Fernandez's supervisor, Rick Krugh. During this period, Mr. Krugh apparently developed an animus toward Ms. Nieves.

13. Although Mr. Krugh never offered Ms. Nieves any negative feedback about her performance, on July 13, 2022, once Mr. Fernandez returned as Ms. Nieves's manager, Mr. Krugh instructed him to give her an extremely poor "1" rating for her 2022 mid-year review. Reddit rates its employees from 1 to 3 and a rating of "1" is unusual.

14. Ms. Nieves was astounded when Mr. Fernandez told her that Mr. Krugh had compelled him to give her the poor review. Mr. Fernandez's only explanations for it were that Krugh had said there were issues with Ms. Nieves's use of Salesforce, the sales tracking software used by Reddit, and a suggestion that one of Ms. Nieves's main clients, AMC Networks, was not advertising on Reddit for its "Better Call Saul" television show.

15. Neither explanation was valid. Ms. Nieves had never been previously advised of any forecasting issue with her Salesforce reports and indeed she had not engaged in some of the sales forecasting gamesmanship as had some of her Reddit colleagues. With respect to "Better Call Saul," AMC had, in fact, purchased \$50,000 in advertising for the program on Reddit. Additionally, there appeared to be no connection with the alleged performance deficiencies and the requirements for Ms. Nieves's position as set forth in Reddit's performance management system.

16. On July 19, 2022, Ms. Nieves complained to her Reddit human resources contact, Harold Davis. She communicated to Mr. Davis that given the absence of any justification for the poor rating, it appeared to be the product of bias and discrimination.

17. Mr. Davis responded that at Reddit employees should never be surprised by a poor rating and it appeared that there was a misalignment between the alleged performance deficiencies and the requirements for the position. Mr. Davis stated that HR would meet with Mr. Fernandez and Krugh and subsequently there would be a meeting with HR, the supervisors and Ms. Nieves.

18. There was no meeting with Ms. Nieves, her supervisors and HR. However, Ms. Nieves continued to meet with Mr. Fernandez for her customary weekly 1:1 meetings. At those meetings, Mr. Fernandez did not provide or relay any negative feedback about Ms. Nieves's performance.

19. Yet on August 23, 2022, approximately a month after Mr. Nieves complained about discrimination to Reddit HR, Ms. Nieves's employment was terminated. Remarkably, Ms. Nieves had never been placed on a performance improvement plan, which is customary at Reddit prior to the termination of an employee with alleged performance issues.

20. After Ms. Nieves's termination, she retained counsel, who communicated with Sedric D. Bailey, who is Reddit's global employment counsel. Mr. Bailey provided additional alleged reasons for Ms. Nieves's termination, such as that her sales performance was substandard and that she was a poor strategic seller. However, each of these rationales could be easily rebutted. For example, while Mr. Bailey stated that Ms. Nieves's sales for 2022 Q3 were trending poorly, in fact Ms. Nieves was at 70 percent of her quota and on track to exceed it with six weeks remaining the quarter. With respect to the claim that Ms. Nieves was a poor strategic seller, Mr. Krugh had, in fact, complimented her for her strategic selling and indeed, Ms. Nieves's two main accounts, AMC Networks and Spotify, had greatly increased their advertising spending once Ms. Nieves was assigned the accounts.

21. As a result of her termination, Ms. Nieves has lost significant compensation and incurred severe emotional distress.

**FIRST CLAIM FOR RELIEF
(Discrimination in Violation of New York City Human Rights Law)**

22. Plaintiff repeats and re-alleges the allegations contained in the preceding paragraphs above as if fully set forth herein.

23. Defendant discriminated against Plaintiff in the terms and conditions of her employment based on her sex, race and national origin in violation of the New York City Human Rights Law.

**SECOND CLAIM FOR RELIEF
(Retaliation in Violation of New York City Human Rights Law)**

24. Plaintiff repeats and re-alleges the allegations contained in the preceding paragraphs above as if fully set forth herein.

25. Defendant retaliated against Plaintiff in the terms and conditions of her employment based on her complaints concerning sex, race and national origin in violation of the New York City Human Rights Law.

WHEREFORE, Plaintiff demands judgment:

1. Reinstating Plaintiff's employment with Defendant and upon reinstatement, enjoining Defendant from discriminating or retaliating against Plaintiff in violation of the New York City Human Rights Law;
2. Awarding Plaintiff her lost wages;
3. Awarding Plaintiff compensatory damages, including but not limited to damages for emotional distress;
4. Awarding Plaintiff punitive damages;

5. Awarding reasonable attorneys' fees, costs, and expenses, and

Granting such other legal and equitable relief to the Plaintiff as the Court may deem just and equitable.

Dated: New York, New York
April 6, 2023

GISKAN, SOLOTAROFF & ANDERSON LLP

By: s/ Jason L. Solotaroff
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ATTORNEYS FOR PLAINTIFF

VERIFICATION

C H Florida
STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:
Miami-Dade
C H

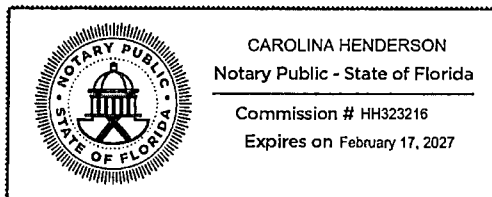
BIANCA NIEVES, being duly sworn, deposes and says that she is the plaintiff in the within action; that she has read the foregoing Verified Complaint and knows the contents hereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters deponent believes them to be true.

Bianca Nieves
BIANCA NIEVES

Notarized online using audio-video communication

Sworn to before me this
6th day of April, 2023

Carolina Henderson
Notary Public



**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----X
BIANCA NIEVES,

Plaintiff/Petitioner,

- against -
REDDIT, INC.,

Index No. 153270/2023

Defendant/Respondent.
-----X

**NOTICE OF ELECTRONIC FILING
(Mandatory Case)
(Uniform Rule § 202.5-bb)**

You have received this Notice because:

- 1) The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts E-filing system ("NYSCEF"), and
- 2) You are a Defendant/Respondent (a party) in this case.

● **If you are represented by an attorney:**

Give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

● **If you are not represented by an attorney:**

You will be served with all documents in paper and you must serve and file your documents in paper, unless you choose to participate in e-filing.

If you choose to participate in e-filing, you must have access to a computer and a scanner or other device to convert documents into electronic format, a connection to the internet, and an e-mail address to receive service of documents.

The **benefits of participating in e-filing** include:

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- free access to view and print your e-filed documents
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- paying any court fees on-line (credit card needed)

To register for e-filing or for more information about how e-filing works:

- visit: www.nycourts.gov/efile-unrepresented or
- contact the Clerk's Office or Help Center at the court where the case was filed. Court contact information can be found at www.nycourts.gov

To find legal information to help you represent yourself visit www.nycourthelp.gov

**Information for Attorneys
(E-filing is Mandatory for Attorneys)**

An attorney representing a party who is served with this notice must either:

1) immediately record his or her representation within the e-filed matter on the NYSCEF site www.nycourts.gov/efile ; or

2) file the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: 04/10/2023

Jason L. Solotaroff, Esq.

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To: Defendant(s)/Respondent(s)

2/24/20